

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RAYMOND E. BLAKE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civ. Action No. 07-230-JJF
	:	
MANONCHEK C. YOUNG, MICHAEL	:	
LITTLE, ANGELO JOHNSON,	:	
RAPHAEL WILLIAMS, THOMAS	:	
CARROLL, C.M.S., JANICE HENRY,	:	
STACEY HOLLIS, NATASHA L.	:	
HOLLINGSWORTH, and RONALD	:	
HOLSTERMAN,	:	
	:	
Defendants.	:	

MEMORANDUM ORDER

Plaintiff Raymond E. Blake ("Plaintiff"), an inmate at the Sussex Correctional Institution ("SCI"), Georgetown, Delaware, filed this civil rights action pursuant to 42 U.S.C. § 1983. He appears pro se and was granted in forma pauperis status pursuant to 28 U.S.C. § 1915. (D.I. 8.)

On August 1, 2007, his original Complaint was dismissed as frivolous and for failure to state a claim upon which relief may be granted and the case was closed. (D.I. 13.) An Amended Complaint was filed, adding new Defendants and claims. (D.I. 15.) The Amended Complaint was screened, and many of the Defendants and claims were dismissed. Of the claims dismissed, most were dismissed with prejudice, but Plaintiff's excessive force claim and verbal claims against Defendant Natasha Hollingsworth ("Hollingsworth") was dismissed without prejudice.

Plaintiff was allowed to proceed against Defendants C.M.S., Thomas Carroll, Natasha L. Hollingsworth, Janice Henry, and Stacey Hollis on the Eighth Amendment medical needs claim; against Defendants Manonchek C. Young, Michael Little, Angelo Johnson, Raphael Williams, Thomas Carroll, Janice Henry, Stacey Hollis, Ronald Holsterman, and Natasha L. Hollingsworth on the retaliation claims; and against Defendants Manonchek C. Young, Michael Little, Angelo Johnson, Raphael Williams, Thomas Carroll, Janice Henry, Stacey Hollis, and Ronald Holsterman on the access to the courts claims. On January 18, 2008, Plaintiff filed another Amended Civil Rights Complaint (hereafter ("First Amended Complaint"). (D.I. 24.)

The Court's Memorandum Opinion dated October 19, 2007, contains a detailed description of the claims raised in the Amended Complaint. The First Amended Complaint is similar to the Amended Complaint, in that it contains all the claims raised against the remaining Defendants, including some dismissed with prejudice. The claims that were dismissed without prejudice are also included, but those claims are insufficient pled in the First Amended Complaint. While the First Amended Complaint does not include the allegations against the previously dismissed Defendants, it nonetheless is basically duplicative of the Amended Complaint.

THEREFORE, at Wilmington this 16 day of April, 2008, IT IS HEREBY ORDERED as follows:

1. The First Amended Complaint (D.I. 24) is **STRICKEN** as

duPLICATIVE.

2. Service will proceed as outlined in the Court's October 19, 2007 Order. All USM-285 forms have been received. As set forth in the Court's October 19, 2007 Order, the Plaintiff shall provide the Court with copies of the Amended Complaint (D.I. 15) for service upon the remaining Defendants and the Attorney General. Plaintiff shall provide said copies within **thirty days** from the date of this Order. **Failure to timely provide copies of the Amended Complaint may result in dismissal of the case**

3. Plaintiff's Motion For Leave To Proceed In Forma Pauperis is **DENIED** as **moot**. (D.I.23.) Plaintiff was granted leave to proceed in forma pauperis on July 5, 2007. (See D.I. 8.)



UNITED STATES DISTRICT JUDGE